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Docket No. CPMC-005/00US

PATENT

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By: Hanna Hacham
Hanna Hacham

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Li-Xi YANG

Serial No.: 10/612,240

Examiner: Amelia A. Owens

Confirmation No.: 3322

Art Unit: 1625

Filed: July 1, 2003

For: **PODOPHYLLOTOXIN DERIVATIVES**

Commissioner for Patents
P O Box 1450
Alexandria, VA 22313

TRANSMITTAL OF RESPONSE TO RESTRICTION REQUIREMENT

Enclosed are the following documents in response to the Restriction Requirement of 25 August 2004, for the above-identified application:

- ☒ Response (2 pages)
- ☒ Petition for Extension of Time 3-Month - Fee \$490.00 (1 page)
- ☒ Please charge \$ 490.00 to Deposit Account No. 03-3117 for the total fee.

This paper is being submitted in duplicate.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and immediately overpayment, to Deposit Account No. 03-3117.

Dated: November 30, 2004
Cooley Godward LLP
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Respectfully submitted,

COOLEY GODWARD LLP

By: Thomas M. Moran

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Li-Xi YANG

Serial No. 10/612,240

Examiner: Amelia A Owens

Classification No. 5322

Art Unit 1635

Filed: July 1, 2003

For: **PODOPHYLLOTOXIN DERIVATIVES**

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P.O. Box 1450
Alexandria, VA 22313

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement of 25 August 2004, Applicant hereby chooses to elect the claims of Group I, i.e., Claims 1-24, drawn to compounds, compositions, and method of use, classified in Class 514, Subclass 449+. The compound of most interest at this time is set forth in Example 16, i.e., the compound of Formula I where m is 1, x is a covalent bond, and R₁ is a 6-membered heterocycle, that is, thymine-1-yl. This is covered by Claims 1, 8, 10, 14, and 15.

While not necessarily agreeing that the invention should be divided into the three groups, applicant at this time chooses to pursue the compounds of Group I to the exclusion of the subject matter of the other claims. Thus, Claims 25-56 are hereby withdrawn from consideration. Applicant reserves the right to pursue the withdrawn subject matter and other subject matter

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supported by the specification by filing a divisional or continuation application drawn to the
desired subject matter.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R.
§§ 1.16, 1.17, and 1.21 that may be required by this paper and to credit any overpayment to
Deposit Account No. 03-3117.

If the Examiner believes it would be appropriate to discuss the issues in further the
prosecution in this case, she is invited to call the undersigned at (650) 843-5104.

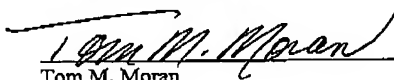
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